

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Sara Batton,

Case No. 3:21-cv-1771

Plaintiff,

v.

ORDER

Sandusky County, Ohio, et al,

Defendants.

On January 27, 2023, Defendant Peggy Defibaugh filed a motion for judgment on the pleadings seeking judgment in her favor of all claims asserted against her in this action. (Doc. No. 53). In response, Plaintiff Sara Batton filed a motion to dismiss those claims and Defibaugh as a Defendant to this action, without prejudice. (Doc. No. 57). No Defendant opposed this motion.

After reviewing the motions, I grant Batton's motion and dismiss all claims against Defibaugh without prejudice pursuant to Rule 21 of the Federal Rules of Civil Procedure. *See, e.g., Sheet Metal Workers' Nat'l Pension Fund Bd. of Trs. v. Courtad, Inc.*, No. 5:12-cv-2738, 2013 WL 3893556, at *4 (N.D. Ohio July 26, 2013) ("A plaintiff seeking to dismiss only one defendant from an action must move the Court to do so under Rule 21."). In turn, I deny Defibaugh's motion as moot.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge